

SUPPORT FOR THE AMENDMENT

Support for the amendment to claim 1 is found on page 9, lines 4-5 of the specification and in claim 4 as originally presented. Support for the amendment to claim 6 is found on page 9, lines 4-5 of the specification and in claim 8 as originally presented. Support for claim 9 is found on page 7, lines 12-19 of the specification. Support for claims 10-11 is found on page 8, lines 16-18 of the specification. Support for claim 12 is found on page 8, lines 20-24 of the specification. Support for claim 13 is found on page 8, lines 20-25 of the specification. Support for claim 14 is found on page 9, lines 10-16 of the specification. Support for claim 15 is found on page 21, lines 1-2 of the specification. No new matter would be added to this application by entry of this amendment.

Upon entry of this amendment, claims 1-15 will now be active in this application.

REQUEST FOR RECONSIDERATION

The claimed invention is directed to a softening detergent composition, a washing method and a method for preparing a softening detergent composition.

Detergent compositions having a softening effect have been developed in order to address fiber stiffness often associated with washing. Inadequate softening effects have been obtained by addition of conventional clay material such as smectite. Formulations containing clay materials have been reported but have yet to provide entirely satisfactory result. Thus, softening detergent formulations are sought.

The claimed invention addresses this problem by providing a softening detergent composition comprising (a) 1-30 wt.% of a clay mineral, (b) 0.5-20 wt. % of a sodium carbonate-hydrogen peroxide adduct, (c) 0.1-20 wt.% of an aromatic ester sulfate salt or aromatic ester carboxylate salt, (d) 0.4-20 wt. % of a fatty acid salt and 10-60 wt. % of a surfactant. Applicants have discovered the combination of sodium carbonate-hydrogen peroxide adduct, an aromatic ester sulfate or carboxylate, with a clay mineral, fatty acid salt and surfactant to provide for an enhanced softening effect relative to the use of sodium carbonate-hydrogen peroxide adduct or aromatic ester sulfate or carboxylate alone. Such a result is nowhere disclosed or suggested in the cited references of record.

The rejection of claims 1-8 under 35 U.S.C. 102(b) over Baeck et al EP 297,673 is respectfully traversed.

Baeck et al. fails to disclose or suggest the combination of sodium hydrogen carbonate-hydrogen peroxide adduct and fatty acid salt in a softening detergent composition.

Baeck et al. describes a detergent softening comprising a fabric softening clay (see abstract). In addition to a clay component, the composition may further contain a detergent surfactant (anionic, nonionic, amphoteric or zwitterionic (page 3, lines 28-29)), a cleaning aid (bleaching agent (page 4, lines 28-30)) and additional softening agent (page 5, lines 10-13)

but fails to identify the combination of sodium-carbonate-hydrogen peroxide adduct and fatty acid salt.

In contrast, the claimed invention is directed to a softening detergent composition comprising (A) 1-30 wt.% of a clay mineral, (b) 0.5-20 wt. % of a sodium carbonate-hydrogen peroxide adduct, (c) 0.1-20 wt.% of an aromatic ester sulfate salt or aromatic ester carboxylate salt, (d) 0.4-20 wt. % of a fatty acid salt and 10-60 wt. % of a surfactant. Applicants note that the claims have been amended to recite the specific use of sodium carbonate-hydrogen peroxide adduct as well as a fatty acid salt.

While page 4 of the official action references composition II in the Table as meeting all of the limitation of claims 1-8, composition II fails to disclose a sodium carbonate-hydrogen peroxide adduct nor its use in conjunction with a fatty acid salt.

Accordingly, since the cited reference fails to disclose the combination of sodium carbonate-hydrogen peroxide adduct with a fatty acid salt, the claimed invention is not anticipated by Baech.

Moreover, there is no suggestion in Baech of obtaining an enhanced softening effect through the combination of sodium carbonate-hydrogen peroxide adduct and benzene sulfonate/carboxylate ester with a fatty acid salt.

As evidence of an enhanced softening effect resulting from applicants' claimed combination, applicants have conducted additional experiments, comparing the softening effect of the softening detergent composition using the claimed combination of sodium carbonate-hydrogen peroxide adduct with bleaching activator granule of sodium nanoyloxybenzensulfonate as component (c). For the examiner's convenience the data is reproduced below:

	Present Invention	Comparative Examples				
	II-a	II-b	II-c	II-d	II-e	
Sodium carbonate-hydrogen peroxide adduct	7	-	14	-	7	
Sodium nanoyloxybenzenesulfonate	7	14	-	7	-	
Sodium sulfate	5	5	5	5	5	
Sodium linear C ₁₂₋₁₄ alkylbenzenesulfonate	18	18	18	18	18	
Sodium sulfate of fatty acid	2	2	2	2	2	
Evaluation of Detergency	A	A	A	A	A	
Evaluation of Softening	A	B	B	B	B	

While all of the compositions were evaluated to have essentially equivalent detergency, the reference compositions lacking the combination of sodium carbonate-hydrogen peroxide adduct with bleaching activator granule of sodium nanoyloxybenzenesulfonate and fatty acid salt were all evaluated at less than maximum softening.

In contrast, the inventive composition II-a demonstrated an enhanced softening effect relative to the comparative compositions. An enhanced softening effect resulting from the combination of sodium carbonate-hydrogen peroxide adduct with sodium nanoyloxybenzenesulfate with a fatty acid salt, is nowhere disclosed or suggested in the cited reference and accordingly the claimed invention would not have been obvious and accordingly, withdrawal of the rejection under 35 U.S.C. 102(b) is respectfully requested.

The rejection of claims 1, 2 and 5-7 under 35 U.S.C. 102(b) over Baker et al. U.S. 2002/0128165 is respectfully traversed.

Baker et al. fails to disclose the combination sodium carbonate-hydrogen peroxide adduct and benzene sulfonate/carboxylate ester with a fatty acid salt. The deficiency of Baker et al. to disclose the claimed fatty acid salt is evident by the failure to reject claim 8 which previously recited the fatty acid salt. Since the fatty acid salt as recited in claim 8 is

not recited in claim 1, the claimed invention would not have been obvious from this reference and withdrawal of the rejection under 25 U.S.C. 102(b) is respectfully requested.

The rejection of claim 4 under 35 U.S.C.112, second paragraph is obviated by appropriate amendment.

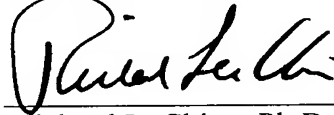
Claim 4 has now been amended to indicate that the alkylbenzenesulfaonate is an anionic surfactant. In view of applicants' amendment, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Richard L. Chinn, Ph.D.
Attorney of Record
Registration No. 34,305

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)